G. R. S. IX-5]

Reserve

P54

Previous references.

J. 13 #98-99.

1917: 18

(Police)

File No. 151-17.

Serial Nos. 163.

Later references.

Pol 82-1921-23

Pol 95-1921 to 23.

Pol. 6-20 (51, 52, 56, 58, 59, 65, 69)

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 163.

Part B for August 1918.

SUBJECT.

Recruitment & promotion of Police officers Taluk Villages of the Chingleput Taluk.

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1 C 2. Do. Mem. of C. of Police (No. CG-517 D/11-7-1918 requesting the favour of receipt of their opinion in the matter.

1 C 3. Forwarding the Govt. D.O. No. 6109 D/20-8-18 stating that Mr. Cox is not necessarily to be retained for a year during a particular term.

W D 88—GPB—50,000—24-7-18

VII 13/19.

G. R. S. III—1] 1917-18

GENERAL AND REVENUE SECRETARIAT.

(Police)

NOTES.

File No. 17

FILE HEADING.

Granting a punitive police force in certain villages of the Channapatna Tk.

From

The I G.P. Police in Mysore

No. 7065/499 Dated 9/13.4.18 Received 16.4.18

Diary No. J2448 Enclos. 1+3 Spare Copies. Serial No. I

BRIEF ABSTRACT OF LETTER.

Requests sanction to the above for reasons

NOTES AND ORDERS.

Subd. for orders with a draft sanction.

-cation.
24.4.18.

2) The Superintendent's letter No 7/11 of 24.9.1917 explains the necessity for granting Punitive Police in 6 villages in Channapatna Taluq.

NOTES—First Sheet.

WD 1232—GPB—20,000—18-11-16

G. R. S. III-2]

General and Revenue Secretariat.

DD File No. 167 of 1917.

Serial No.

The grounds in support of the recommendation are 1) that there have been as many as 6 murders in the last 7 years,

2) that there have been factions in the villages,

3) that almost all the cases ending in ~~conviction~~ acquittal, or discharge and there can be no one are based in the public estimation

4) that there have been more than adequate cases of breaches of peace & affrays against public tranquility,

and 5) that many the people side with one faction or another & fail to render the necessary assistance to the Police.

It is also urged that the Security Sections of the Criminal Procedure Code are of no avail. Whether a matter for order whether there are sufficient grounds for granting the Police in the villages. The Local Govt the Superintendent of Police the D.C. and ~~asst~~ Sp and the Dy. of Police are all of opinion that such action is absolutely necessary. Their views are strengthened by the opinion of Mr. Justice Ramanathan who has tried number of cases from the villages. Draft notification is also submitted for approval in the order

NOTE—Contn. sheet.

WD A 1789—GPB—60,000—20-8-19—S.

WD 1233—GPB—60,000—1-12-16—S.

2448

G. R. S. III-2

3

General and Revenue Secretariat.

Pol File No. 151 of 1917.

Serial No.

If the recommendation has to be approved, it involves the imposition of an additional tax, and becomes a schedule matter.

3) The only plain instance in which such action was taken was the Ganjam case in 1898.

E 27/4

Chief Secretary)

4) I do not think the imposition of a punitive police & recovery of the cost thereof amounts to the imposition of a tax under the schedule.

5) As regards the proposal itself, a certain party Chennapatna taluk has become very notorious & the existence of strong factions gives rise to several offences & reliable evidence is very hard to get.

6) In the most recent case a father accuses his son of having murdered another son of his, the evidence available is quite meagre & tainted, & the police are quite nonplussed.

7) In the circumstances the imposition of a punitive police for a sufficient length of time seems to be ~~the only~~ a good way to enforce some respect for law & order.

Sent 23 Returned via Secl.

3961 6.5.

NOTE—Contn. sheet.

(1st member) 8) The Secretary C85
re-submitted for orders 29/4/18
in pursuance of
6/5

Urdu 1151.

4

General and Revenue Secretariat. | Police File No. 151 of 1917-18

Serial No.

9) Resubd. as directed in para 8 supra.

BS. 5-7-18.

5/7

5/7 Dist. Members)

10) The present Dy. Comr. be asked confidentially to say (on receipt of the present letter) whether he considers such a drastic measure is considered necessary.

4969/9-7.

9/7 Wiss

11) Minute 6/7

12) Draft D.O. subd.

BS. 10-7-18.

13) Concludes

Sus A 1577

2. 10/7 To the D.G. of Police (No D.O.G 5/7 dt/11-7-18 Requests to know whether Opinion as to whether such a drastic measure ... upon from Mr. Mir Humza Hussain D.O. no. C 57 dt/6-7-18 states that he would like to TK. shortly when he will make enquiries & sum up his opinion.

14) Subd. for perusal.

BS. 20-7-18.

Dist-Members

NOTE—Contn. sheet.

Sus A 24/7 304/23-7

FD A 1789—GPB—60,000—20-8-18—S.

23/7

1151
3151

G. R. S. III-2]

General and Revenue Secretariat.

Police File No. 151 of 1917-18

Serial No.	
3	From Mr. Mir Hamza Hussain D.O. No. C/109 P/20.8.18 stating that there is no necessity at present for quartering a permicine force at Peshawar.
	15) Subd. No further action seems to be necessary. These papers may be filed after perusal by the 1st Member.
	B.S. 23.8.18.
	16) For favour of perusal. The present Dy. to Commissioner that there is no immediate necessity for punitive police.
	27/8/18
	1st Member
	18) I thought as much when the reference first came up from the Peshawar D.C. We may accept the present Dy. to Commissioner's view and drop the matter.
	27/8/18
	19) 20 File 28/8

NOTE—Contn. sheet.

WD A 1789—GPB—60,000—20-8-18—S.

(6

No. 7065/499

OFFICE OF THE
INSPECTOR-GENERAL OF POLICE IN MYSORE.

Dated Bangalore, 9th April 1918.
13

Encls. 1 2 & 3 Statement

J2448

DJ
151-17

10/4/1918

From

K. R. SRINIVASA IYENGAR, Esq., M.A.,
Offg. Inspector-General of Police in Mysore.

To

C. S. Balasundaram Iyer Esquire, B.A.,
Chief Secretary to the Government of His Highness
the Maharaja of Mysore, ~~General Department.~~

Sir,

I have the honor to submit herewith for the perusal of Government, copies of the marginally - noted correspondence (with their enclosures ending with letter No 848/I dated the 15th February 1918 from the Deputy Commissioner, Bangalore District, regarding the location of a punitiv Police force under Section 21 of the Police Regulation for the preservation of peace and order in the marginally noted villages of the Chennapatna Taluk in the Bangalore District.

1. Letter No.294 dated 24th September 1917 from the Deputy Commissioner, Bangalore District, to the Inspector General of Police.
2. Letter No.2114/242 dated 3rd October 1917 from the Inspector General of Police in Mysore, to the Deputy Commissioner, Bangalore District.
3. Letter No.347 dated 10th October 1917 from the Deputy Commissioner, Bangalore District, to the Inspector General of Police.
4. Letter No.552 dated 13th December 1917 from the Deputy Commissioner, Bangalore District, to the Inspector General of Police.
5. Letter No.848 dated 15th February 1918 from the Deputy Commissioner, Bangalore District, to the Inspector General of Police.

(1) Akkur, (2) Kondapur, (3) Kodambally, (4) Banagahalli
(5) Hunesanahalli and (6) Somanathpur

2. From a perusal of the Police Superintendent's memo attached to his letter No.711 dated the 24th September 1917 to

(7

the Deputy Commissioner of Bangalore it will be seen that these villages have been the scene of as many as 6 murders since 1905, and that, owing to the factious spirit of the villagers and their passive resistance as well as unwillingness to co-operate with the Police in bringing the offenders to justice, all the cases have ended in the acquittal of the accused before the Courts. A number of prosecutions were, as shown in the statement attached to the Police Superintendent's report, lodged against the principal parties concerned in the disputes in these villages under sections 107 and 145 Criminal Procedure Code, but they have not proved effective in restoring peace and order in this tract. The last of the murders in these villages was committed at Banagahalli on 14th August 1917, and notwithstanding the best efforts of the Amildar and other officers it could not be detected and the offenders brought to justice, as each party implicated the other and was prepared to adduce any number of false and tutored witnesses ~~and~~ to get their enemies into trouble.

3. In February 1918, just on the eve of the transfer of Amildar Mr. Tirunarain Iyengar from the Taluk, he received information that a conspiracy had been hatched by some budmashes in the villages in question for the murder of 3 or 4 persons; and he asked for the immediate deputation of a special staff of a Duffedar and 6 constables to the villages to prevent trouble. The men asked for were promptly deputed by the Superintendent of Police and the plans of the conspirators were thereby frustrated. But for the prompt ~~and~~ deputation of the men, it is quite probable that some more murders would have been added to the list of undetected crimes in these villages.

4. The notoriety enjoyed by these villages in question has attracted the notice of even the Chief Court, as will be seen from the judgment of that Court in Criminal Revision Petition No.162 of 1916-17 in which Justice Mr. T. Paramasiva Iyer who has an intimate knowledge of the conditions of the locality

(8

has made the following observation:-

> "This case like many cases of the kind arising in the Chennapatna Taluk is difficult of decision..... Chennapatna, a lightly assessed, flourishing and troublesome Taluk, badly requires well-paid extra Police found on a half-anna Police cess".

5. In these circumstances, the Deputy Commissioner of Bangalore has pressed the urgent necessity for a punitive Police force as recommended by the Superintendent of Police, for the protection of life and prevention of crime in these villages and for engendering in the inhabitants of the villages a spirit of responsibility to help in furtherance of justice. He considers that recourse to the preventive sections of the Criminal Procedure Code will be of no avail, as only a few people could be dealt with thereunder, and it would not have the desired effect when the conspiracies are deep-rooted and fostered by the majority of the inhabitants in these villages and that the location of a punitive Police force on all the six villages is therefore very necessary.

6. After a careful consideration of the matter, I fully agree with the views expressed by the Deputy Commissioner and am of opinion that the location of a punitive Police force in these villages is necessary for the preservation of life and order and the prevention of premeditated and organized crime in the villages.

7. As regards the strength of the force to be entertained the Deputy Commissioner has recommended the entertainment of a Duffedar on Rs.16+1-8-0 and 30 constables on Rs.10/- each, at a total cost of Rs.4,000/- per year, which when distributed among the inhabitants of the villages would entail a tax of Rs.1-13-4 per head of the population. I think, however that this will be too heavy a burden to impose on the villagers; and I would therefore reduce the force to 1 Duffedar and 12 men (at the rate of 2 men for each village) at a cost of Rs.1,836/-

(9

per annum as detailed in the margin, which will represent a charge of about (0-13-6) per head of the population. I request that, in the circumstances, Government may be pleased to sanction the establishment of the above mentioned staff for a period of one year the cost being defrayed by ~~an equal~~ a uniform capitation tax on all the inhabitants of the villages in question under section 21(2) of the Mysore Police Regulation.

1 Duffedar Rs.16+2	Rs.18/-
12 constables at 9+1	,,.120/-
Rent of Out Post and contingencies.	,,. 15/-
	Rs.153/- per mensem
or Rs.1,836/- per annum.	

I have the honor to be,

Sir,

Your most obedient servant,

Inspector General of Police.

WD 2328—GPB—400—2-4-17

From

The Inspector-General of Police
in Mysore, Bangalore.

To

Chief
The Secretary to the Government
of H. H. the Maharaja of
Mysore, ~~General Dept.~~

Dated 9th April 1918

Despatched 13

No. 7065/499

Enclosure 12 · 13 Statements

Subject.

Proposing the location of a Punitive Police Force in certain villages of the Chennapatna Taluk.

Letter No.294 dated 24th September 1917 from the Deputy Commissioner, Bangalore District, to the Inspector General of Police in Mysore.

I have the honor, in forwarding herewith letter No.711 dated 24th instant from the Superintendent of Police of this District, together with its enclosures to state that the conduct of the inhabitants of the village referred to has been such that it calls for urgent Punitive action on the part of Government.

The successive failures of the prosecutions in the murder cases have made the investigation of further cases very difficult if not impossible, as will be seen by the progress made in the last case of murder, in spite of the concerted action of the District Superintendent of Police and Amildar assisted by the Local Police.

The progress report clearly shows that the rival factions have been trying their best to shift the offence on one another and have been advancing all sorts of concocted evidence to further their objects, and to make the work of detection impossible; which in the present case, is enhanced by the somewhat indefinite opinion expressed in the autopsy of the case. The voluminous judicial literature relating to the murder cases of those villages comprised in the printed book, (herewith forwarded) clearly establishes the highly factious and turbulent spirit of these parties and the learned judge Mr. Paramasiva Iyer, who is intimately acquainted with the life condition of these villages, both from Revenue and Judicial experience, has recently opined in his judgment(copy enclosed) that he finds it hard to decide the cases of this Taluk, and strongly urges the levy of a special cess of ½ anna to meet the location of an extra well paid Police force for the Taluk.

Returned to the Superintendent

I therefore feel the urgent necessity for the location of a Punitive Police Force as recommended by the District Superintendent of Police, in these villages to protect life and to prevent further crime and above all, to engender in the people a spirit of responsibility to help the furtherance of Justice.

The cost of such a staff will be about Rs.4,000/- per annum and considering the fertility and light assessment of the locality, I do not consider the amount excessive as I intend to levy this cost as a tax on the adult population of these villages and which works out about Rs.two per head, inclusive of absentee land lords. This levy of tax, I prefer to a rate on the assessment value of property, as the latter proposal would heavily affect the land-lords(especially absentees) while it would, to a certain extent, exempt the local idlers and bad characters who do not own much land in the locality.

I therefore approve of the District Superintendent's recommendation and request you will very kindly obtain the orders of the Government for the employment of this Force.'

I may add that I have carefully watched the progress of the last case of murder, went to Chennapatna and made personal enquiries of the parties, and consider such a force necessary at least for a period of 2 years unless the parties in the meantime prove to the authorities that they have mended their conduct".

C O P Y

For Inspector General of Police.

Letter No.711 dated 24th September 1917 from the Superintendent of Police, Bangalore District, to the Deputy Commissioner, Bangalore District.

I have the honor in submitting herewith 2 memos relating to a recent case of murder of the Chennapatna Talúk, as also the factious spirit prevailing ~~against~~ amongst the inhabitants of certain villages of the said Taluk and the serious disturbances and crimes which have resulted therefrom, to state that the feelings of the rival factions have risen to such a pitch that unless some drastic preventive measures are adopted at once, I fear that the lives of other persons, notably Mancha, the adopted son of Manchegowda and that of his brother Kariä are in danger.

I am herewith submitting statements, showing the number of every kind of crime, reported from this locality from the year 1904 and it will be seen therefrom that though the ~~matter~~ number of ordinary crimes is not great, those relating to serious crimes affecting life and public tranquillity are high.

Though the number of persons taking active part in all these serious crimes, and being directly interested in them is small and though it may, perhaps be argued that they could be effectively dealt with by vigorous action on the part of the Police, I beg to represent that nearly all the persons in these villages are related to the parties at variance in different degrees of kinship, while the remaining few persons of other castes are indebted to these few influential persons in various ways so that all the persons are compelled to side with one or other of the factions, either in an active or passive manner and thereby cripple all endeavours of Police officers to secure justice and to put down crime on the part of these men.

All these difficulties will be patent from a perusal of the brief history contained in the memo hereto attached, as also from the contents of the printed judgment of the Sessions Judge Mr. Paramasiva Iyer, also herewith submitted.

The great difficulty experienced by the Police in the investigation of the several cases of murder alluded to will be realised, when

it is remembered that in every case the Police were forced at first to work on a certain theory for which evidence was readily forthcoming, but which, after a deal of investigation had to be dropped as further evidence was not forthcoming to justify a charge sheet being presented and then another theory would present itself which would be worked up and the case successfully committed to the Sessions where it invariably collapsed owing to the approver or witnesses turning hostile.

This successive failures of prosecutions in these most serious cases, has greatly emboldened the parties on the one hand, while on the other, it has tended to reduce the Police in the estimation of these mischievously inclined people, who therefore with impunity, either retain true facts, or come forward with false ones, just to lead the officers on the wrong scent.

The state of things in this locality has reached such a climax that it calls for the location of a Punitive Police Force at least for some time, till matters improve and better feeling among the malcotents prevail.

I may be urged that the number of persons actually at variance being small, the location of a Punitive Force would have the effect of punishing a larger number of innocent persons; but I have already explained that all these persons are either related to, or indebted to the parties at variance that though they do not take active part in the disturbances they by their passive resistance in playing the Police officers false or by failing to help them, have greatly helped the malcotents to commit these series of offences and have prevented the offenders being punished.

There is at present an investigating centre at Akkur where one Jamedar, one Duffedar and 8 constables have been located, but they have not been able to grasp the situation and to prevent these deep-seated murders at Kondapur and the neighbouring villages which are only 2½ miles away.

It is therefore clear that unless the people in these parts

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are made to feel for their conduct by being made to pay for a Police force specially empowered to put down these disturbances in their villages, they will not rise to their sense of responsibility and justice, to co-operate with the Police in stamping out this factious spirit and thereby prevent further crime.

The number of villages which are included in the area to be guarded by the Punitive Police is 6 with an adult population of 2180 as per statement annexed. The number of Police men required for each of the villages would be 5, thus making 30 in all, with a Duffedar for daily patrol and submission of special reports.

The cost of this additional establishment is also shown in the statement and comes to Rs.4,000/- per annum or roughly two rupees per head of population including absentees land-lords, which is not much.

This establishment which can be appointed under section 21 of the Police Regulation, will be in addition to the staff at present existing at Akkur, which will be required for the usual purpose of routine, such as investigation of crime and the prevention of such in other villages attached to this Range.

The employment of such a Police force, has been considered a urgent necessity by Justice Mr. Paramasiva Iyer in one of his recent appellate judgment(copy enclosed) and I would beg to strongly urge that pressing necessity for the same also solely for the purpose of preventing further loss of life".

C O P Y

for Inspector General of Police.

Office of the Superintendent of Police

Bangalore District.

Dated Bangalore, 24th September 1917.

M e m o.

Akkur
Banaganahalli.
Kondapur
Hunasanahalli
Kodambally.

The group of the marginally noted villages lies along the bank of the Kanava river in the Akkur valley of the Chennapatna Taluk and consists of highly fertile lands planted with valuable cocoanut gardens and is populated by ryots of the Gangadikar Vokkaligar caste who are in affluent circumstances owing to the profitable yields of these gardens.

2. The unusual wealth of these ryots has led from time to time to many misunderstandings in which the local Brahmins have taken prominent parts and have been siding rival factions.

3. The principal factors among the ryots are Manchegowda, and Dasegowda of Venkatarayanadoddi, Puttegowda and his eldest son Siddegowda; all of whom are related to one another and live in the Inam village of Kondapur, comprised in the group and have been set up in their misunderstandings one against the other by Shanbogue Surappa of Kodambally on the one hand and Patel Gundappa of Akkur on the other hand. This Gundappa is also a District Board member.

Each of the parties Manchegowda, Dasegowda and Karegowdan Puttegowda roughly own about ½ a lakh rupees worth of lands and other properties. Of these Manchegowda and Puttegowda are in their dotage while Dasegowda and Siddegowda are comparatively young men.

All the parties were on friendly terms till the year 1903, when Puttegowda, the son of Manchegowda died, leaving two childless widows one Chennamma the sister of Dasegowda of Venkatarayanadoddi, and one Gowramma of Mallur Patna.

The troubles then arose, owing to Chennamma having claimed all the properties of her husband Puttegowda, in accordance with a will alleged to have been executed by him, acknowledging the adoption of

one Jayarayee, the son of Dasegowda, and nephew of Chennamma to whom the bulk of the properties were left, while only a few lands were left to Manchegowda for his maintenance.

This will Manchegowda who was then the Patel of Kondapur stoutly contested and strong factions formed under the leadership of Dasegowda and Manchegowda.

Karegowdan Puttegowda who ~~was~~ is one of the influential men and a man of a turbulent spirit, sided Dasegowda and his partizans, assisted by Shanbogue Surappa of Kondapur while Manchegowda gathered round him Patel Gundappa of Akkur and his brother Sreekantayya and several others.

The feelings of the rival parties began to rise and they tried in various ways to assert ownership over the properties. Karegowdan Puttegowda was an active adherent of Dasegowda and wanted to claim the produce of the lands alleging that they were leased to him by Dasegowda who was acting as the Agent for his sister Channamma.

the 1st case of attempt of murder occurred on 9-4-1905 in which one Ujjani Gowda, the maternal uncle of Puttegowda was wounded by a gun shot in a garden in Kondapur and the marginally noted persons were charged in that case which ended in acquittal as the complainant stated that Puttegowda himself shot at and wounded(him) with a view to mulct the accused with the offence.

Manchegowda
Anumanchegowda
Mancha
Chikkatimma
Gundappa
Sreekantiah
Basava
Sidda

While the 1st case was in progress Manchegowda and Gundappa sent for Dasegowda and effected a compromise by which Dasegowda joined Manchegowda's party and discarded Puttegowda and further drew up an award in which he gave over the bulk of properties to the adopted son Javarayee who was brought to live with Chennamma in Manchegowda's house.

The next was one of murder by gun shot which occurred at Kondapur on 28-12-1909 in which one Chenna Malliah was killed in a paddy field and in which the marginally noted persons were

Puttegowda
Kenchegowda
Siddaiah
Linga
Dasa

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charged but were acquitted. This case was also subsequently learnt to have been brought up in revenge of the 1st clase.

It will be seen from the above two cases that Manchegowda and his partizans were charged in the 1st case including Gundappa and his brother Sreekantiah, while the opposite party Puttegowda and his son Siddaiah were charged in the 2nd case.

While things were in this state, the boy Javarayee son of Dasegowda who was living with Manchegowda at Kondapur had his throat cut on 24-12-10 in which case the brother of Manchegowda one Anumanchegowda turned approver and implicated the marginally noted persons, of whom one is Surappa the Shanbogue of Kodambally. This case also ended in acquittal. The Sessions Judge was of opinion that the boy died of natural causes and that his throat was subsequently cut at the instance of Manchegowda to get Puttegowda and his son Siddegowda into trouble.

Chickmanche gowda
Surappa
Honnehuchana-timma.
Rangegowda.

Finally on 12-1913, Kempa the son of Puttegowda and his servant Thoora were murdered in a threshing floor of Shanboganahalli while they were guarding the threshing floor with of Puttegowda. This Puttegowda who was also injured at the time complained that 21 persons headed by Dasegowda made a raid on their threshing ground killed his son and servant and carried away the ragi crop. In the investigation evidence was forthcoming to show that Puttegowda his son Siddaiah and other persons noted in the margin committed the deed and brought the case against their opponents. They were charged. Mr. Paramasiva Iyer the Sessions Judge convicted Puttegowda and sentenced him to be hanged. The confiscation of Puttegowda's property was also ordered. In appeal, the sentence was set aside in the Chief court.

Chowda
Bora
Chickhyda
Putta

Since then things were quiet, but about the latter part of 1916, Gundappa wormed himself into the confidence of Puttegowda and brought about a reconciliation between Manchegowda and him and manoeuvred to acquire part of the properties of Manche gowda. This Siddegowda the son of Puttegowda resented and went over to Dasegowda and on that score strong factions formed themselves.

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Dasegowda	Versus	Machegowda
Siddegowda and partizans backed by Shanbogue Surappa.		Puttegowda Puttegowda and partizans backed by Patel Gundappa.

On 8-12-1916 Manchegowda petitioned the Dewan that Dasegowda, Siddegowda and others had forcibly removed the crops from his wet lands at Kodambally and were threatening further damage.. Action was at once taken by me and a case of theft and 2 complaints under section 145 C.P.C. were filed before the Sub Division Magistrate of Closepet which are unfortunately still pending.

Manchegowda has since adopted the son of his eldest daughter a lad named Manchegowda and has appointed his eldest brother Karia as the minor's guardian. This act of the old man is resented by Dasegowda and Chennamma and they have been trying their best to frustrate the adoption by filing Civil suits. Thus the feeling between the parties is greatly ~~sustained~~ strained and Dasegowda has since of late taken up his residence at Kondapur and is actively concerting measures with Siddiah to gain his object.

Subsequently Puttegowda is reported to have drawn up a deed of settlement in which he disposed of his properties to the children by his 3 wives who are living but this settlement Siddiah, the eldest son by first wife and ~~who~~ who has gone to Dasegowda's party has resented as he avers that the old man has maliciously allotted to him useless lands together with inordinate debts and has been defying the other shares from entering the land, with the result that the lands are lying fallow.

On the 14-8-1917 the Patel of Banganhally reported that the corpse of Mancha alias Fakru the eldest son of Puttegowda by his 2nd wife and step-~~brother~~ brother of Siddiah was found dead under a cocoanut tree in a garden owned by Akkur Gundappa.

The progress made in this case and all the evidence collected are noted in the progress report submitted herewith.

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Two strong theories are advanced as motives for the offence - the 1st being that Siddegowda conspired and had the deceased murdered by his brother and others, though he was himself absent on the day of the offence, and the motive for the crime being that the deceased was influencing his father a great deal and setting him up against Siddiah.

The 2nd theory is that Patel Gundappa has engineered and carried out the offence by others just to get Siddegowda into trouble, but the evidence collected in the case will show that neither of the theories are supported that the rival factions have been trying their best to get one another into trouble.

Sd/- A. Hayes
Superintendent of Police,
Bangalore District.

C O P Y

For Inspector General of Police.

Progress Report in District Crime No.10/88 of 17-18
Section 302 Indian Penal Code.

Complainant	Accused
Government	1. Appanna . 2.Buddu Sabi 3. Chick Hyda. 4. Gojje. 5.Chikanchegowda. 6.Karia 7.Kudle Borana Karia.

On 14-8-1917 Subrayappa the Patel of Banaganhally village sent in a report to Akkur Range Police station stating that one Mancha alias Fakru the son of K. Putte Gowda was found lying dead under a cocoanut tree in the cocoanut garden of Shanbogue Gundappa and that two cocoanuts, a bunch of plantains and a sickle were also found near by. The Range Jamedar proceeded to the spot at once and held an inquest on the body and sent it on for Post Mortem examination. It was certified that death was due to shock the result of injury to the head and as Puttegowda father of deceased strongly urged foul play a case under section 302 I.P.C. was taken up on file by Mr. Tirunarniengar the Amildar of the Taluk.

In the inquest the following persons were examined:- (1)Puttegowda the father of the deceased states I have 3 wives. The first is the duly married one ~~and~~ while the other two are koodike wives. My sons Sidda and Appianna are by the first wife, the deceased Dodd Appiah and Kunda Helava by the 2nd wife and Kuruda Mancha by the 3rd wife are living. About 5 months ago I executed a deed of partition dividing my property equally to all my sons. My elder sons Sidda and Appianna resented the division on the score that they deserved a greater portion and are therefore at variance with me. The deceased was going to Akkur often and was sleeping there in the house of his grand mother, during nights on account of this ill-feeling. On the night previous to the date of report of the Shanbogue the deceased slept on one of the pials of my house while on the other, Appianna, one Buddu Sabi, Chick Hyda and Kuruda Mancha my son by 3rd wife slept. At about the time of the cock crow Appianna called to his mother who opened the door and again shut it,

talking to him. On the morning when I came out I saw no one on the pials, except Kuruda Mancha. I went to Akkur in search of the deceased and there received information about his death. I suspect foul play at the hands of Appianna, Chick Hyda and Buddu Sabi being instigated by Gojje and others, who are of the opposite factions.

2. Honnamma the mother of the deceased stated as follows:- Owing to the misunderstanding between the brothers on account of the distribution of property my son the deceased was sleeping at Akkur during nights in my mother's house. The deceased on the night in question said that he would sleep on the pial of the house while on the other pial, Appianna, Chick Hyda and Buddu Sabi were seated and Kuruda Mancha was sleeping. At about the time of the cock crow the first wife of my husband opened the door as desired by Appianna and gave water to Buddu Sabi to drink. She again shut the door. At about 8 A.M. I received news of the death of my son. I suspect foul play.

3. Bànaganhally Balagai Moodli stated as follows:-

I came to the garden in question as I have been asked by Shanbogue Gundappa to plough the land and enjoy the crop in return for looking after the young cocoanut plants. As usual I came to the garden early in the morning and saw the body of the deceased. I was frightened and ran to my village where I met Buddu Sabi to whom I communicated the information.

4. Kenchegowda of Kondapur stated as follows:-

"I have taken the garden produce on Gutta tenure I can identify the cocoanuts as those belonging to the tree beneath which the deceased was found lying. I cannot identify the plantain bunch".

5. Akkur Kempamma the grand mother of the deceased stated as follows:-

The deceased was occasionally sleeping during nights in my house. On the night in question he did not come to the house to sleep.

6. Kuruda Mancha the brother of the deceased stated as follows:-

On the night in question I saw the deceased going towards

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Banganhalli smoking. I was seated on the pial as also Buddu Sabi Chick Hyda and Appianna. The deceased did not come back. I slept on the pial, while the other three also slept by my side. In the night when I got up to answer calls of nature, I saw Buddu Sabi and others sleeping there. In the morning, I was told about the death of the deceased.

7. Kenchegowda stated as follows:-

I have never seen the deceased sleeping on the pial of the house before. It was only on the night in question the deceased slept on it. Appianna always sleeps on the pial while Buddu Sabi and Chick Hyda occasionally did so. The deceased was now and then committing theft of cocoanuts.

On 16-8-1917 when the Amildar was proceeding to the scene of occurrence K. Puttegowda the father of the deceased gave information that when he went to Chennapatna along with the body of the deceased, one Venkatramiah of Honganoor who came there gave him information that one Venkata saw some persons assaulting the deceased and on his coming up to the scene he was given one rupee to keep silent and that he failed to name the witness or the informant to the Police Inspector that day and that Girigowda and Pavadayya also knew of the occurrence.

Venkatramiah referred to by K. Puttegowda stated that he was told by Hosapete Venkata that he saw some persons murdering the deceased that the assailants had tied a rope to the neck of the deceased and were pulling it and that when he questioned them, he was given a rupee to keep silent.

Akkur Girigowda stated that he saw Venkataramana Setty and Venkata talking but that he did not know the details.

Thippe Gowda son of Sidde Gowda of Kondapur stated that on the night of Monday (the night in question) he saw the deceased seated on the pial, that when he was about to sleep he asked the deceased to lie down, that the deceased then got up and went into the house that Budda, Appianna and Kuruda Mancha slept on the other pial that

Chikhyda had gone for his food, that when he woke up in the morning he saw the three persons still there and that Buddu Sabi has been taking his meals in the house of Siddegowda (the eldest step brother of the deceased) and sleeping during nights on the pial.

Siddegowda the brother of K. Puttegowda stated that at about 9 or 10 P.M. the deceased came to his house and asked for his son, that on his replying that his son was not at home, the deceased went away alone smoking towards the stream and that Buddu Sabi, Appianna and Kuruda Mancha were seated talking on one of the pials.

Pavadiah denies all knowledge of the information given by K. Puttegowda.

The blood stained mud in two different places at the scene of offence had been secured and were sent to the Chemical Examiner. Sidde Gowda the eldest son of K. Puttegowda gave information, that the deceased was on terms of criminal intimacy with one Nanjamma the wife of Karia the grand son of Patel Manche Gowda that the deceased with the bunch of plantains was observed going to Banaganhalli on the night of Monday in company with one Siddegowda son of Kempegowda and that Dyava and Vade Malla saw this and that Karia and others followed in a different direction which was seen by Vada and Hava.

With a view to sift the truth of this information enquiries were made. One Deva son of Chavude Gowda of Kondapur stated that he was returning to Kondapur with Vade Malla from his mother-in-law's village Havahally, that they met the deceased and Sidda son of Kempegowda near the stream coming from the direction of Kondapur, that the deceased had a bunch of plantains in his hand and informed him that they were going to Akkur.

Vade Malla corroborated Deva but states that it was not Sidda but one Devi Mara who was in company with Mancha.

Thigalar Udda of Hosa Kondapur stated, that he saw Karia and Alahally Kempegowda going in the direction of Akkur on the

night in question, when he and Hala were keeping watch in the cocoanut garden.

Hala corroborates Udda but adds that a 3rd person Mutha as also having accompanied Karia.

Sidda referred to by Deva Gowda and Vade Malla denied having accompanied the deceased.

One Goorle Gowda of Hale Kondapur stated that some body committed theft of a plantain bunch from his garden on the night of Monday in question. He identified the plantain bunch seized as the one he missed.

Puttegowda father of deceased strongly avers that the information tendered by Siddegowda is ~~also~~ all false and concocted just to throw the authorities off the scent to shift the offence on to others and that he strongly suspects Budda, Appianna, Karia, Hyda and one Kunta assisted by others guilty of the offence.

The Amildar in company with the panchayetdars examined the scene of offence and the place where the body of the deceased was found lying as also the places where the plantain bunch and the sickle were found which were shown by the Jamedar who was the first Police officer to arrive on the spot. The places where the traces of blood were observed and the place where the coat belonging to the deceased had been kept were also shown.

The tree is about 30 feet high and is slanting slightly.

From the position of the tree and the place where the body was found lying flat, it is highly improbable to infer the theory of a fall from the tree.

The Taluk Sanitary Inspector was deputed to draw up a sketch of the scene of offence to a scale.

PART - II

Of the persons suspected by Puttegowda, the father of the de-

ceased

Chik Hyda who was examined on 20-8-1917 and confessed as follows:-

On the night of the occurrence of this offence he took his meals in this house and slept on the pial of the house of Puttegowda, that Puttegowda's sons Appianna and Kuruda Mancha and one Buddu Sabi of Chennapatna slept on the same pial, that the deceased and one Thippegowda slept on the other pial that Banaganhalli Kunta came that night to Puttegowda's house when they were sleeping and awoke Appianna, that Kunta was made to sit in a vegetable plot, behind the house of Puttegowda, that, they both went to Hosa Kondapur to the house of Kulli Borana Kariya and brought him to the plot where Kunta was that they brought Buddu Sabi from the pial to the same plot that Appianna asked Kunta and Buddu Sabi to cut down the plantain bunch which was in the small garden of Goorlegowda, that they cut it down and all of them went near Udda's garden where the plantain bunch was kept in a hedge that they returned to Puttegowda's house where the deceased and Thippegowda were sleeping that Appianna went near Thippegowda to ascertain whether he was asleep and came back and told them that Thippegowda was snoring, that Appianna, Kariya and Buddu Saby went to the deceased, that Appianna caught the deceased with his neck in one hand and closed his mouth by the other that Buddu Saby held the hands of the deceased and Kariya his legs, that Appianna told him (Chik Hyda) to take the coat and panche of the deceased which were near his head, that he took them that Appianna, Kariya and Buddu Sabi took the body from the pial towards the river where the plantain bunch was kept, that he and Kunta followed them, that Appianna asked Kariya to see whether life was extinct and that Kariya put his hands on the chest of the deceased and said that there was slight beatings of the heart, that Buddu Sabi then dealt the deceased a blow with the handle of the sickle near the left temple, that afterwards, the body of the deceased was taken to Gundappa's garden through the stream, that they placed it in a spot in the garden, that he(Chik Hyda) cut some aloe leaves and prepared a noose to climb up the cocoanut tree, that Karia climbed a cocoanut tree pulled down two cocoanuts and got down that Buddu Sabi and Karia moved the body of the deceased from the place where they had first laid it and placed it nearer the cocoanut tree from which the two cocoanuts were removed.

that they said that it would look as if he had fallen from the tree if the body is kept there, that Kariya asked him (Hyda) to place the coat and panche near the body, but that Appianna said that the clothes should not be kept near the body but in the place where the first body was kept so that the people may think that the deceased removed his coat and panche kept them there and climbed the cocoanut tree, fell down and died. He added that the sickle belonged to Kunta, that Kunta placed the plantain bunch and sickle near the well close to the place where the body of the deceased was lying that Kunta went away to Banganahalli and they all returned to Puttegowda's pial and slept and that Kariya went home. He further stated that after a little while Appianna saying that he was thirsty called out to his mother and got water to drink.

Banganhalli Kunta was sent for and confronted with Chik Hyda. He corroborated and confessed that the sickle belonged to him.

As it is apparent from the statements of Chikhyda and Kunta that Appianna, Buddu Sabi and Kariya have also joined in the commission of the murder of Mancha, Chik Hyda and Kunta were arrested at 7 P.M. On 20-8-1917 and arrest reports were submitted to the District Magistrate.

The two accused Chik Hyda and Kunta were produced before the 3rd class Magistrate of Closepet and a remand of 15 days was obtained to complete the investigation.

This day (22-8-1917) the Amildar proceeded to Kondapur with the accused and questioned them again in their presence of panchayetdars Chik Hyda stuck up to his confession, and promised to show the places where Buddu Sabi and Kunta cut the plantain bunch and where it was subsequently kept also the spot where the corpse was laid. He led the Amildar and the panchayetdars to the backyard of Goorlegowda and showed the plantain stem where the bunch was cut. Next he took them to the garden of Udde Gowdana Kencha and showed the places and added that the body was also kept there.

Thence he showed the way by which the body was carried and places where the body was first kept and subsequently removed to

another place. The place where the aloe leaves were cut. The aloe stem bore indications of recent removal of leaves. Mahajars were drawn up as regards all these.

Kunta retracted his statement and stated that he was at Banaganhalli on the night in question hearing songs till midnight and that there are persons to speak to that facts including Gojje and Anki who corroborated Kunta, but as they state that the singing was over before midnight the Amildar opines that the offence could have been committed soon after. as Banganhalli is only about ½ a mile away from Kondapur. From the statement of Chik Hyda it is apparent that Appianna, Karia and Buddu Sabi have joined in the offence, the first two were arrested Buddu Sabi is absconding.

During the enquiry Siddegowda turned up and gave information that on the day previous to the date of occurrence the Patel of Banganhalli had taken the deceased and Thippe, to Sreekantiah the brother of Gundappa and had a talk about a certain document that Sreekantiah asked the deceased to get him plantains and that Sreekantiah went away to Alahally the next morning,.e., the day in question.

The Patel of Banganhally who was examined at once denied the fact.

PART - III

This is a case of murder reported from the village of Kondapur in the Chennapatna Taluk.

Appianna and Karia, who were subsequently arrested were produced before the 1st class Magistrate, Closepet, who granted 13 days remand till 5-9-1917. The accused Buddu Sabi is absconding and it is likely that he has taken refuge in a house where Ghosha is observed. Every possible endeavour is made to trace him also.

PART - IV

Hosur Venkata referred to in the previous diaries who was

absconding, was secured and examined, he stated that he knew Karegowdan Putte Gowda that he did not know his son Mancha and that he knew nothing about his death, that he did not tell any body any thing regarding his death that on a Thursday, about 15 or 18 days ago while he was in his house, Puttegowda and Jakka of Hunsanhalli came to him, that he was taken to a room and was told by Puttegowda to give evidence in the matter relating to his son's death, that he(Puttegowda) would tell him what to say but that he refused to do so.

PART - V

The accused Buddu Sabi who was absconding was arrested at 12 noon on 31-8-1917 and 5 days remand was obtained Chika has retracted his confession.

As no further evidence was forthcoming and as the evidence collected hitherto was not sufficient to charge sheet the accused and as the remand period expired on 5-9-1917 the accused are let on bail pending further investigation.

Further progress will be reported.

Sd/- A. Hayes
Superintendent of Police
Bangalore District.

C O P Y

For Inspector General of Police.

In the Chief Court of Mysore at Bangalore

Wednesday the 8th day of August 1917.

P R E S E N T

Sir Leslie C. Miller, Kt, Chief Judge.

and

Mr. Justice T. Paramasiva Iyer.

Petition of Criminal appeal No.131 of 1916-17 against the conviction and sentence by the Assistant Commissioner and First class Magistrate of Closepet Sub Division under section 324 of the Indian Penal Code in Criminal case No.14 of 1916-17

Appellant.

Channanka alias Chick Hyda .
1st accused.

Criminal Revision ~~Appeal~~ petition No.162 of 16-17

1. Linge Gowda
2. Mugi Linga
3. Bukkala

..... Accused 2 to 4.....Petitioners

(By Mr. K. R. Sesha Iyengar).

Vs

The Government of Mysore..... Complainant.....Opponent

(By Mr. C. S. Doraswami Iyer, Government Advocate).

Criminal Revision petition against the conviction and sentence passed by the Assistant Commissioner and First class Magistrate of Closepet Sub Division in Criminal case No.14 of 16-17.

The appeal and the revision petition both coming on for hearing on Monday the 30th day of July 1917, the Court delivered the following-

J U D G M E N T.

The Chief Judge.

In these cases Mr. Sesha Iyengar took some objections to the trial, but there is only one of them which has any substance in it; in the written statement of Chik Hyda, the first accused, is a request that the depositions of some of the witnesses for the prosecution in a counter case should be read as evidence for the defence in the case

under trial. The Magistrate did not, it would seem make any order on this application, and these witnesses were not examined for the defence. The Magistrate too does not in his judgment refer to this evidence specifically as evidence in favour of the defence. But he had before him both cases: he dealt with them practically simultaneously and he seems so far as I can judge from his not very satisfactory judgment to have come to the conclusion that neither case was true and that what really happened was an affray in which both parties were guilty of assault. There can be little doubt that he did as a matter of fact take into consideration the evidence in both cases and that to require him now to deal again with the evidence in accordance with the request contained in the statement of Chik Hyda would merely, without benefiting the accused, further delay a case which as already been a regrettably long time under trial.

We have both cases before us and the evidence of the witnesses desired has been considered by us, and we do not think that it is necessary in the interests of justice to require the Magistrate to take further proceedings. Neither Mr. Sesha Iengar now nor his client in the Magistrate's Court, desires or desired, that the witnesses should be again examined orally as defence witnesses, though in my opinion that was the proper course, and had the application been made by the prosecution I should have had serious doubt whether it could properly have been allowed even with the consent of the accused. In the present case however the application came from the accused and as he does not want an oral examination of the witnesses and as the Magistrate has considered the evidence, and we have it before us, it cannot be said that the accused are prejudiced.

This as I have said is the only objection taken to the trial which has any substance in it; the objection that the charge was not sufficiently precise has no force; the accused could not possibly have been misled by it, and in fact did not ask the Magistrate to make it clearer: and the objection taken in the revision petition against the trial of the second third and fourth accused

along with the first has obviously no support from the Code of Criminal Procedure.

On the facts the difficulty arises from the circumstance that as is usual in cases of the kind neither party has put an entirely true case before the Court. Each party not only lays all the blame on the other for the commencement of the affray but also denies having a hand in the injuries inflicted on the other.

In the cases now under consideration(appeal 131 and revision petition 162) the defence is simply that the first accused Chik Hyda was attacked by Siddalinga and his brother when he prevented them from cutting a ridge in his field and was seriously injured. The injuries found on Siddalinga and his brother Andani are it is suggested probably self-inflicted in order to support a counter charge against Chik Hyda and his brothers and nephew. The story of Siddalinga is that he was attacked by Chik Hyda when he remonstrated with him and his nephew Bukkala(fourth accused) for injuring a goat belonging to him(Siddalinga) which had strayed into the fourth accused's betel garden. He does not account for the injuries to Chik Hyda, but it is suggested that they may have been caused in the exercise of the right of private defence: of that however there is no evidence. The prosecution witnesses 3 and 4 say that Chik Hyda was not beaten then.

Mr. Sesha Iyengar did not convince me that there is any probability that the wounds of Siddalinga were inflicted by himself or a friend for the purpose of getting up a case. The list of injuries found in the deposition of the Sub Assistant Surgeon shows that that is unlikely to be the case and suggests that after he was cut on the head he was beaten with a stick or sticks as he turned to ran away - and if Siddalinga was injured in the quarrel it would be superfluous for Andani to injure himself by cutting his head: one would be enough.

I therefore have no doubt that the injuries on both men were caused in the quarrel, and were not subsequently inflicted

by way of fabrication of false evidence.

Siddalinga states that he or rather his brother Andani who was with him complained to the Patel in Chennapatna about noon. The Patel's report is in the record and should have been marked as an exhibit but apparently was not, perhaps because the Patel was not examined in this case. The report does not contain the name of Chik Hyda, but mentions only the second accused Linge Gowda and others.. It is very brief and gives no details and I do not regard it as of much use as showing that the first accused was not present at the occurrence complained of, because in exhibit P. 1 given a little later in the day to the Police Jamedar the first accused is charged. In Exhibit P 1 the offence is mentioned as having occurred at noon-tide (Madhyahna) but if this is the occurrence in which the first accused was injured it must have been earlier, because he was in the hospital by midday. It is true that the Jamedar says that he sent Chik Hyda to the hospital after he received the patel's report on his complaint, but he has not been asked to explain this in detail the Patel's report as is seen from the other case is marked as having been received at 3-10 P.M. while the Sub Assistant Surgeon says Chik Hyda came to him by noon. I think Siddalinga is probably right in saying that he came to the patel about noon and that the expression in P 1 is merely a vague approximation to the time, it is probable that if there were really two different occurrences there would have been some evidence to that effect and there is no trace of any such case either in the prosecution or defence evidence or in the statements of the accused. If Chik Hyda was not present when Siddalinga was beaten there should be some evidence to show it other than vague differences as to the time at which the opponents were injured.

I have not overlooked the fact that the defence witnesses 1,2 and 3 in trying to prove an alibi for the second accused say that he heard of the assault on his brother when he was at a marriage in the village a quarter of a mile from the field and betel garden

and at once ran out and the suggestion that he may then have gone to the rescue of his brother or subsequently to avenge him. The witnesses do not suggest that their story is that the second accused found on coming out of the house that his brother had been taken wounded to his own house and that he went there and afterwards took him to the hospital. The evidence may be partially true, it is possible that the second accused was at the marriage and hearing of the quarrel ran out in time to join in driving off Siddalinga and Andani, that is possible but if true does not greatly affect the case. It is unlikely that he went to his house, saw his brother's injuries and then before taking him to hospital or the Police the third witness for the defence says he went to Chennapatna with his brother organized a punitive expedition against Siddalinga. The witness Venkata whose evidence for the prosecution in the other case we read as evidence for defence in this case says the second accused took his brother to Chennapatna direct from the village.

On the whole I think the Magistrate is right in paying little attention to the discrepancies of time, and in holding that whatever was done was done in one affray and not in two.

There remains the question whether the first accused caused hurt to Siddalinga and his brother.. He has not set up any case of private defence and if he is found to have caused hurt he is guilty of an offence. It is unlikely though not impossible that after being inured in the way he was injured, he would have injured both Siddalinga and Andani with his sickle. Men have been known to fight after receiving worse injuries than he received; and not merely in their own defence. But the Sub Assistant Surgeon is probably right in deeming it probable that after receiving a blow on the head which injuried the frontal bone and a blow on the left wrist which badly damaged the hand Chik Hyda would not have taken further part in the affray. The question is whether the witnesses can be believed who assert that he struck the blows which injured Siddalinga; and it is not an easy one to answer satisfactorily. The evidence of the witnesses on both sides is obviously partizan evidence. None of them admit that the

party citing them struck any blows at all. There is no impartial evidence in the case except the medical evidence and that of the Jamedar who says little of any value and cannot of course speak to the affray itself.

It makes little difference whether the trouble began over the mutilation of a goat or the cutting of a ridge. Either cause of quarrel may have provoked the assault and the provoked party may as likely as not have struck the first blow. I do not therefore think it necessary to decide whether a goat was injured or a ridge broken or whether both these torts were committed.

Now if acting on Mr. Sesha Iyengar's invitation we read the evidence of Kempa Venkata and Mudda given in the other case as evidence for the defence in this case, we find that the story of Venkata and Kempa is inconsistent with the facts proved by the medical evidence. According to them they were intervenors to separate the combatants and the only combatants of whom they speak are Siddalinga and his brother on one side and Chik Hyda on the other. But the medical evidence shows two marks of blows with sticks on the back of Siddalinga and this points to at least one other combatant besides Chik Hyda because it is unlikely that one man used both stick and knife. Mudda's story is somewhat different; he says there were 5 or 6 people quarrelling but he could not see who beat whom and he goes on to describe how the second accused (i.e., Andani) went to join the crowd and was pushed away by himself and others; he does not say who the others were. This again suggests that Chik Hyda was not the only opponent of Siddalinga and his brother for no one on either side says that Siddalinga was accompanied by any one except Andani.

There is also the fact that no injuries are spoken to in the case of the second, third and fourth accused; it seems to me that the prosecution evidence may be trusted so far as it alleges their presence; they are likely to have been present and they were accused the same day. It is as I have said possible that the second accused was not at the spot when the altercation began and it may be that the third and the fourth

accused came after the first blow was struck; the evidence as to details is not to be trusted, but having found the probability that more than one person was opposed to Siddalinga it is the less difficult to accept the evidence that the others were the second third and fourth accused.

Then inasmuch as they were not injured it is not so likely that they attacked Siddalinga in the first instance as that they drove him off with blows after his affray with Chik Hyda had begun. And once we get this that Chik Hyda was present, and is the only person who is accused by any prosecution witness of using a knife or sickle, it seems to me that the evidence that he cut Siddalinga may be accepted. If one of the others had done so, I see no reason why that fact should have been concealed. I am not impressed by the argument that because the word matsu appears in Exhibit P 1 and the defence produced apparently as a 'matsu' some weapon which the Sub Assistant Surgeon rightly or wrongly thought coud not have caused the injuries on Siddalinga, we must suppose that Siddalinga's story is all false. The Jamedar was not questioned as to the use of the word 'matsu' in the statement of Siddalinga, nor was Siddalinga, and I am by no means convinced that a matsu perhaps sharper than the weapon produced by the defence could not have inflicted the wounds described.

There is nothing improbable in the view that Chik Hyda may have struck Siddalinga twice before Siddalinga got in his blow, and I am of opinion that he has been rightly convicted.

As regards the other accused who have presented a revision petition appeal the questions of law must as I have said all be decided against them, and there is nothing in the evidence to induce me to interfere in revision with the convictions.

The sentences are not severe considering that this was a fight in which cutting weapons were used.

I would therefore dismiss both the appeal and the revision petition and direct that the appellant and petitioners serve out the

unexpired remainder of their sentences.

Sd/- Leslie C. Miller

Chief Judge.

Mr. Justice T. Paramasiva Iyer

This case like many cases of the kind arising in the Chennapatna Taluk is difficult of decision. What the Investigating Jamedar did, and whether he verified on the spot, the levelling of the ridge or the mutilation of the goat, has not been elicited. It would appear according to the Patel that he took Chik Hyda's complaint first and that the counter complaint was made in response to his demand for an explanation. If the Patel wrote his reports between 12 and 12-30 in Chennapatna itself it is not clear why the reports were delayed three hours in submission, and why there was a similar interval of half an hour between the receipt of the two reports by the Jamedar. I have no faith in these reports or the investigation by the Jamedar and Chennapatna, a lightly assessed flourishing and troublesome Taluk, badly requires well paid extra Police found on a half-anna Police cess. As the evidence stands the balance of probabilities seems to suggest that Chik Hyda was seriously injured to begin with when he protested against the removal of the ridge by Siddalinga and Andani, and that second accused who was not far off, on hearing of the maltreatment of his brother, retaliated with the help of the third and fourth accused. In the circumstances of this case however I do not feel justified in differing from the conclusions of the learned Chief Judge based as they are on an exhaustive consideration of the evidence and I agree to the order proposed by him.

Sd/- T. Paramasiva Iyer

J U D G E

True Copy

Sd/- S. Venkata Ranga Iyengar

Dy. Registrar.

COPY

Inspector General of Police.

Letter No.2114/242 dated 3rd October 1917 from the Inspector General of Police in Mysore, to the Deputy Commissioner, Bangalore District.

With reference to your letter No.294 dated the 24th September 1917, regarding the location of a Punitive Police Force in certain villages of the Chennapatna Taluk, I have the honor to state that from the statement of offences affecting public tranquillity submitted by the Superintendent of Police with his report, it is observed that only 13 such offences have occurred in only 3 villages, viz Hunsanhalli, Kodambally and Kondapur within the last 12 years, which do not seem to justify the adoption of any Punitive action in respect of the other villages which did not contribute towards the commission of these offences. The mere fact of the residents of all the six villages being either related to or interested in one party or the other creating the disturbances is not ~~only~~ a good ground for adopting the measure. It seems to me that as an alternative a more effective step can be adopted in bringing to justice the rowdy characters of both the parties by having recourse to the security sections of the Criminal Procedure Code and getting the lawless leaders bound over in heavy sums.

2. I shall feel obliged by your kindly letting me know your views in the matter.

C O P Y

Inspector General of Police.

Letter No.347 dated 10th October 1917 from the Deputy Commissioner, Bangalore District, to the Inspector General of Police in Mysore.

Adverting to your letter No.2114/242 dated 3/5th instant I have the honor to state that, though no cases affecting public tranquillity have occurred in the villages of Akkur, Banganahalli and Somanathpur, the evidence adduced in the murder cases clearly shows that the conspiracies originate at Akkur where Shanbogue Gundappa, the leader of one of the parties, resides and also that the villagers of Kondapur side with one faction or the other while those, who own lands at Somanathpur and Banaganahally, bring the ryots under their influence.

Besides, there have actually been two cases of rioting at Somanathpur last year (Crime Nos.23"267 and 24/268 of 16-17) and the last case of murder was at Banaganahally. It is felt that owing to the influence and the regular vendetta that exists between the families in these villages, that justice has entirely failed in the 6 cases of murder. If these 3 villages are let off the punitive order, it will mean that the order as regards the other villages will prove abortive, as the scene of future murder will probably be shifted to one or more of these villages.

I enclose copy of a cutting for information, from which it will be seen that in cases of murders, mere connivance has been deemed to be sufficient grounds for the location of a punitive ~~Police~~ Force.

I would add that, in my opinion, recourse to the preventive sections of the Criminal Procedure Code would only deal with a few persons and would not have the desired effect where conspiracies are so deep-seated and are fostered by the majority of the inhabitants in these villages. I therefore, consider the location of a Punitive Force in all the six villages a very necessary step to take".

COPY

Inspector General of Police.

Another Punitive Police post has been sanctioned for the village of Kaliak, in the Salt Range in the Shahpur District, owing to the misconduct of the inhabitants in conniving at several atrocious murders. The post has been sanctioned in the first instance for two years. The Shahpur District has recently earned an unenviable notoriety for the large number of murders committed within its borders.

C O P Y

for Inspector General of Police.

Letter No.552/I dated 13/17th December 1917 from the Deputy Commissioner, Bangalore District, to the Inspector General of Police in Mysore.

In continuation of my letter No.347/I dated 10-10-1917 regarding the location of Punitive Police Force in certain villages of Chennapatna Taluk, I have the honor to bring to your notice another instance of lawlessness and defiance of authority on the part of the residents of the village of Somanathpur. It is reported by Siddegowda, the Patel of Somanathpur village, that owing to ill-feeling between the ganigar residents and one Puttegowda of his village, the latter on the night of the 3rd instant brought about 50 hired persons from the village of Akkur who were armed with clubs and other dangerous weapons and wantonly annoyed the ganigars with a view to commit rioting by challenging them to come out of their houses and by striking their doors, and throwing stones on the houses. A serious riot was averted by the ganigars not coming out of their houses. The Patel was further prevented from proceeding to Akkur that night to report the occurrence to the Police but he escaped and went to Chennapatna and submitted the report.

A case under section 153 I.P.C. is taken on file and is being investigated.

A copy of the statement of the Patel is herein enclosed for perusal".

C O P Y

for Inspector General of Police.

ಅಲ್ಲಿ ಬ್ಯಾಂಕ್ ಕೆಲಸದಿಂದ ಹೊರಗೆ ಬಂದೆ ಆಫೀಸಿನಲ್ಲಿ.

ಇನ್ನು ಮಿಕ್ಕಿದ್ದು ಪುಸ್ತಕದ ಪೋಸ್ಟಾಫೀಸಿನ ಸಂಬಂಧಪಟ್ಟವರಿಗೆ
ಮತ್ತು ಸಂಘದ ಶಾಖೆಗಳಿಗೆ ತಲುಪಿಸುವುದು.

ಪುಸ್ತಕಗಳನ್ನು ಸಾಗಿಸಲು ಎಷ್ಟು ಖರ್ಚಾಗಬಹುದು. ನಾವು
ದಿನಪತ್ರಿಕೆಗಳನ್ನು ಅಂಚೆಯ ಮೂಲಕ ಕಳುಹಿಸುವ ಸಂಬಂಧ
ಮಾತನಾಡಿದ್ದೇವೆ. ಅವರು ಪುಸ್ತಕಗಳನ್ನು ಸಾಗಿಸಲು ಎಷ್ಟು
ಪ್ರಮಾಣದಲ್ಲಿ ಸಾಗಿಸಬಹುದು ಎಂಬುದನ್ನು ಕೇಳಿದ್ದಾರೆ. ಅದಕ್ಕೆ
ಸಂಬಂಧಪಟ್ಟಂತೆ ಅಂಚೆಯವರು ಕೆಲವು ಷರತ್ತುಗಳನ್ನು ವಿಧಿಸಿದ್ದಾರೆ.
ಅವುಗಳಲ್ಲಿ ಪ್ರಮುಖವಾದುದು ಪುಸ್ತಕಗಳನ್ನು ಸಾಗಿಸುವ ಪೆಟ್ಟಿಗೆಯ
ಮೇಲೆ ಅಂಚೆಯವರು ಸೂಚಿಸಿದ ಹಾಗೆ ಸಂಘದ ಹೆಸರು, ಕಳುಹಿಸಬೇಕಾದ
ಸ್ಥಳದ ಹೆಸರು ಮತ್ತು ಪಿನ್ ಸಂಖ್ಯೆಯನ್ನು ಸ್ಪಷ್ಟವಾಗಿ ಬರೆಯಬೇಕು.
ಪೆಟ್ಟಿಗೆಯ ಒಳಗೆ ಪುಸ್ತಕಗಳ ಪಟ್ಟಿಯನ್ನು ಇಡಬೇಕು.

[illegible]

4-12-17. [illegible]

[illegible]

[illegible]

ವಿಂಧ್ಯಾಚಲ ಪರ್ವತಗಳು ಸಮುದ್ರಗಳನ್ನು ಕಾಣುತ್ತಾರೆ. ಅವರು ಅಂದರು
ನಿನ್ನಿಂದಲೇ. ಅವರನ್ನು ನೀವು ಈ ರೀತಿಯಲ್ಲಿ ಅವಮಾನ ಮಾಡಿ
ಬಿಡುವುದು ಸರಿಯಲ್ಲ. ಅವರು ಬಹಳ ಕಷ್ಟಪಟ್ಟು ಇಲ್ಲಿಗೆ ಬಂದಿದ್ದಾರೆ.
ಅವರಿಗೆ ಸ್ವಲ್ಪ ಸಮಯ ಕೊಟ್ಟು ನಂತರ ಅವರನ್ನು ಕಳುಹಿಸಿಕೊಡಿ.
ಇಲ್ಲವಾದರೆ ನಾನು ಸುಗ್ರೀವನಿಗೆ ಈ ವಿಷಯವನ್ನು ತಿಳಿಸುತ್ತೇನೆ
ಎಂದು ಹೇಳಿದ ಕೂಡಲೇ ಅಂಗದನು ತಾರೆಯ ಮಾತಿಗೆ
ಒಪ್ಪಿ ಅವರನ್ನು ಕರೆದುಕೊಂಡು ಬರಲು ಹೇಳಿದನು. ಆಗ
ಹನುಮಂತ, ಜಾಂಬವಂತ, ಸುಷೇಣ, ತಾರ, ಕುಮುದ, ನೀಲ
ಅಂಗದ, ನಳ, ಗವಾಕ್ಷ, ಗಜ, ಶರಭ, ಮೈಂದ, ದ್ವಿವಿದ
ಮತ್ತು ಇತರರು ಅಂಗದನ ಆಸ್ಥಾನಕ್ಕೆ ಬಂದರು. ಅಂಗದನು
ಅವರೆಲ್ಲರನ್ನೂ ಸ್ವಾಗತಿಸಿ ಅವರಿಗೆ ಆಸನಗಳನ್ನು ನೀಡಿದನು.
ಅವರೆಲ್ಲರೂ ಆಸನಗಳಲ್ಲಿ ಕುಳಿತ ನಂತರ ಅಂಗದನು ಅವರಿಗೆ
ಸೀತೆಯನ್ನು ಹುಡುಕಲು ಹೋಗಿದ್ದ ಬಗ್ಗೆ ಕೇಳಿದನು. ಆಗ
ಹನುಮಂತನು ಸೀತೆಯನ್ನು ಕಂಡ ಬಗ್ಗೆ ಮತ್ತು ಲಂಕೆಯ ಬಗ್ಗೆ
ಸಂಪೂರ್ಣವಾಗಿ ವಿವರಿಸಿದನು. ಅಂಗದನು ಸೀತೆಯನ್ನು
ಕರೆತರಲು ಹೋಗಿದ್ದ ಸೈನ್ಯವು ಹಿಂತಿರುಗಿ ಬಂದಿಲ್ಲವೆಂದು
ಕೇಳಿದನು. ಆಗ ಹನುಮಂತನು ಸೀತೆಯನ್ನು ಕರೆತರಲು
ಹೋಗಿದ್ದ ಸೈನ್ಯವು ಸಮುದ್ರದ ಆಚೆ ದಡದಲ್ಲಿ ಇರುವುದಾಗಿ
ತಿಳಿಸಿದನು. ಅಂಗದನು ಸೀತೆಯನ್ನು ಕರೆತರಲು ಹೋಗಿದ್ದ
ಸೈನ್ಯವು ಸಮುದ್ರದ ಆಚೆ ದಡದಲ್ಲಿ ಇರುವುದಾಗಿ ತಿಳಿಸಿದನು.
ಅಂಗದನು ಸೀತೆಯನ್ನು ಕರೆತರಲು ಹೋಗಿದ್ದ ಸೈನ್ಯವು
ಸಮುದ್ರದ ಆಚೆ ದಡದಲ್ಲಿ ಇರುವುದಾಗಿ ತಿಳಿಸಿದನು.
ಅಂಗದನು ಸೀತೆಯನ್ನು ಕರೆತರಲು ಹೋಗಿದ್ದ ಸೈನ್ಯವು
ಸಮುದ್ರದ ಆಚೆ ದಡದಲ್ಲಿ ಇರುವುದಾಗಿ ತಿಳಿಸಿದನು.

ಸುಗಂಧ ಪರಿಮಳ ಹೊಳೆಯುವಿಕೆ ಇವುಗಳಿಂದ ಕೂಡಿರುವ ಹೂವಿನ ಮೇಲೆ ಕುಳಿತು ಅದರ ಮಕರಂದವನ್ನು ಹೀರುವ ದುಂಬಿಯ ಹಾಗೆ ಅವಳ ಮುಖವು ಕಾಣಿಸುತ್ತಿತ್ತು. ಅವಳ ಕಣ್ಣುಗಳು ಅರಳಿದ ಕಮಲದಂತೆ ಇದ್ದವು. ಅವಳ ಕಣ್ಣುಗಳ ಕಾಂತಿಯು ಅವಳ ಮುಖದ ಮೇಲೆ ಬಿದ್ದು ಅವಳ ಮುಖವು ಕಮಲದಂತೆ ಕಾಣಿಸುತ್ತಿತ್ತು. ಅವಳ ಕಣ್ಣುಗಳ

4.12.17

'Copy'

Sd/ N. Subbarao

Head Quarter Inspector.

COPY

Inspector General of Police.

Submitted to the District Superintendent of Police
Bangalore District.

I am afraid something is brewing in the Kondapur area and I do not know if the rogues would take advantage of the juncture in which the change of Amildars take place to commit some more murders. They did play this dodge when I came to this taluk. They might do the same thing again. There are three or four people whose lives appear to have been menaced by these rogues. There have been a series of whole sale reaping and carrying away of crops. The persons concerned are afraid even to complain to the Police. Evidence is absolutely not forthcoming. I was anxiously awaiting for the Punitive Police Force. It has not come. More active and energitic preventive action in that centre is immediately called for. What is urgently wanted is more men. Six constables and a Daffedar should be immediately deputed to that area. We have no men here. It might strain you much to give me this additional force. But any how it has to be given at once and arranged to be sent in a day or two. It could not be helped The additional force has simply to patrol the concerned villages day and night. They should watch, those whose lives are threatened and they should also closely watch the suspected persons. If this course is adopted for a period of at least three months I think any disturbances in the area might be prevented. I earnestly request that my suggestion might be seriously considered and something done at once. As things stand at present the hands of the Police Inspector are full and he cannot possibly devote that attention in the Kondapur area which is urgently and immediately called for. It is another thing to detect the murder after it is committed but it is the one thing to prevent the murder. Narayan Singh is not the man for Akkur. A smart and reliable man is required. I want such a man immediately. I would submit that the six constables and a Daffedar should be, tried men. After this force is sent copy of the distribution of work amongst them will be submitted. I solicit the favour of immediate orders.

Sd/ B.Thirunarayana Iyengar,
Amildar.

COPY

Inspector General of Police.

Copy of letter No.848/I dated 15th February 1918 from the Deputy Commissioner, Bangalore District, to the Inspector General of Police in Mysore, Bangalore.

No.552/I dated 17-12-1917.

In continuation of my letter as per margin I have the honor to forward herewith copy of memo received from the Amildar of Chenna patna bringing to notice the unsatisfactory state of things in the Kondapur tract and to state that a Daffedar and four constables have been sent to keep watch in that locality and the acting Jamedar Narayana Singh has been replaced by a more energetic Jamedar from the Harohally Range named Narasiah.

It is clear from the memo that the state of feelings between the parties in that shere has not improved and that lives of some of the persons are in peril I would therefore once more urge the necessity of Government sanction being obtained very early for the location of a Punitive Police staff there as already recommended.

"C O P Y"

For Inspector General of Police.

Appendix

Statement showing the number of crimes ... Taluk Court and Sub Div...

Names of the Villages	Court.	1904-05	1905-06	1906-07	1907-08	1908-09	1909-10
	Police	2	.	1	1	2	2
A K Kur	Taluk Court	.	.	.	.	1	.
	Sub Division	.	.	.	1	.	1
Kondapur.	Police	1	.	1	.	3	2
	Taluk Court	.	.	.	1	.	1
	Sub Division	3	.	.	.	.	.
Kokdiwaly.	Police	.	2	1	.	4	3
	Taluk Court	.	.	.	.	.	.
	Sub Division	.	1	.	.	1	.
Banga Lalli	Police	.	.	.	.	.	1
	Taluk Court	.	.	.	.	.	.
	Sub Division	.	.	.	.	.	.
Hansana Lalli	Police	1	1	1	2	.	3
	Taluk Court	.	.	.	.	.	.
	Sub Division	2	.	1	.	1	2
Samanthapur	Police.	.	.	.	1	1	1
	Taluk Court	.	.	.	.	1	.
	Sub Division	.	.	.	.	.	.
		9	4	5	6	14	16

11 Copies

Authentic...

For Inspector Gen...

2

B.

ported from the six Villages, to the Police
ain Court, from 1904 + 05 to 1916-17:-

1910-11	1911-12	1912-13	1913-14	1914-15	1915-16	1916-17	Total.
1	2	1	.	.	1	.	13
.	.	.	.	1	.	.	2
1	1	.	1	.	.	.	5
1	3	4	2	2	1	1	21
.	1	.	.	.	1	.	4
.	.	.	1	1	.	.	5
1	3	1	1	.	.	1	17
.	.	.	.	.	.	.	0
1	.	.	.	1	.	.	4
.	.	.	.	.	1	1	3
.	.	.	.	.	.	.	0
.	.	.	.	.	.	.	0
1	.	.	4	1	1	2	17
.	.	.	.	1	.	.	1
2	4	1	.	1	.	.	14
1	.	.	.	.	1	2	7
.	.	.	.	.	.	.	1
.	.	.	.	.	.	.	0
9	14	7	9	8	6	7	114

✓

[illegible] of Police

Appen

Statement showing the area, assessment
for which Punitive force is pr

Serial Number	Names of the Villages	Area		Assessment			Population			
		Acres	Cunts	Rs	as	P	Males	Females	children	A
1	A K Kan	757	10	1142	14	-	289	358	544	
2	Kondapur	263	16	687	4	-	210	203		
3	Kodambaly	1077	35	1189	12	-	247	90	357	
4	Bangalli	576	39	468	8	-	86	123	178	
5	Hurasanahalli	387	28	521	3	-	298	191	370	
6	Somanakapur	96	38	103	8	-	42	43	57	
							1172	1008	Total	A

ix. A.

Population, and houses of the Six Villages proposed, together with Cost thereof.

	Number of Houses	Force proposed for protection together with Cost					
		Officers	Men	Cost. Rs	as	p	
91	234 I	1 1st Class	30. 1st	317	8	0	Cost per year Rs 4000/-
13	92	Daffedar 2d Class Rs 16/ per month Cmil 1-8-0 Stables Malnad Taluka.	at Rs 9+1 per month				
94	184						
7	86						
59	197 II	Rent of Stations at 1-8-0 per Station		9	.	.	
9	45-						
	III	Contingencies		6	13	4	
ls	2180						
			Total.	333	5	4	

"Copy"

Inspector General of Police.

Appe

Statement showing Cases appearing public transactions in
for Chief Peninsular Police is proposed

Serial No.	Year	No. of the High Court	Section	Complainant	Accused	Vi

Akkur and 5 Other Villages of Ki Channapatna Taluk

Village	Petition about which Complaint	Date of Complaint	Date of Disposal	Court orders.

11	16.17	28	107 c.c	Government	1. Dasepowda 2. Siddiah 3. Ennappa 4. Mudli 5. Basave powda 6. Pulli powda 7. Chickamanchi powda 8. ~~Hombu~~ Homba alias Gejja 9. Appiamma 10. Kare powda 11. Chenne powda.
12	do	30	145 c.c	Pulli powda of Kodamballi	Siddiah
13	do	-	-	Mudle powda of Hanumanahally	Dasepowda

Note: These are cases affecting and do not include the

Hanumanthappa	Bisalamma Konda.	19.3.06	18.2.07	Parties Compounded. Case Struck off under Sec: 248 Cr.P.C
Do.	Do	16.2.07	16.2.07	The accused ordered each to furnish securities for Rs 100/- and to keep peace for 3 months.
Do	A Sarder belonging to Bisalamma	26.4.09	19.4.10	Gundappa, R2 party states, that he has no claim so the attachment is released.
Do	Bisalamma's Konda.	7.4.08	26.5.08	The license should be applied for joindly.
Kodlamballi	Liet Nos. 84-83-& 87/2 & Dry S.No. 204.	3.5.09	18.11.10	I am not able to satisfy properly to which party in possession. Hence Proceedings ended Sec: 145 Cr. P.C. Have withdrawn, & therefore attach the property under dispute under Sec: 146 Cr.P.C until a Competent Court determines the right of the parties Proceedings stays till the Disposal the Case which is under investigation by the
Kendappa.	"	22.11.13	27.12.13.	

7	14.15	43	193 D.C.	Government	Siddeswara Swa g K. Pukeswara.
8	15.16	19	144. C.D.C	Narasanahalli g Haniyur, Channapatna Taluk.	Siddeswara Swa g Rani Pukeswara g Rondapura
9	16.17	26	140 C.D.C.	Siddeswara g Rondapura	Parel Gundapura g AKKeri
10	17	27	107 C.D.C.	Government.	1. Kaliswara 2. Kanchiswara 3. Anamanchiswara 4. Pukeswara 5. Gundapura 6. Sreekantha 7. Lakshmi 8. Buchiswara 9. Hutchi 10. Channeswara 11. Siddeswara 12. Chelluveswara

				Chennapatna Taluk Police. The Case ended in Discharge.
				The accused was convicted & sentenced to 6 months R.I. in the Chief Court on appeals, as he had been acquitted by the 1st Class Magistrate: Doddaballapur Sub Division.
Kundapur	S.No. 3 of Haiyar	13.9.15	13.9.15	2 Dopads Siddegowda of Kondapur, Venkategowda of Kondenballi and Linga Chari are ordered & strictly warned not to go to the land under Sec. 144. C.P.C.
Kamballi	Survey Nos. 170 - 171 & 172 of Kodambally	26.12.16	"	Pendrig.
Kondapur	Possession of lands attached to Hemsena Lalli, Kodamballi & Kondapur villages	6.1.17	"	Pendrig.

11	16·17	28	107 C.C.C	Government	1. Dasepowda 2. Siddiah 3. Swapapa 4. Mudli 5. Basave powda 6. Pulli powda 7. Chickamanchi powda 8. ~~Hemba~~ Homba alias Yejja 9. Appiamma 10. Kare powda 11. Chenne powda.
12	do	30	145 C.C.C	Pulli powda of Kodumbalu	Siddiah
13	do	-	-	Mudle powda of Hanumanhally	Dasepowda

Note: These are Cases abscending and do not include Nº

1	06.06	44	Disputed Boundary case.	1. Mudleswada 2. Gundappa 3. Muka.	1. Muka 2. Menchi Dasa 3. Dasa.
2	06.07	14	107 C.P.C.	Muka	1. Muka 2. Mugi Dasa 3. Chick Muka 4. Mudlagiri Gowda
3	07.08	16	145 C.P.C.	Gundappa	Mudleswada
4	do	17	Breach under the Police Rules.	Dase gowda	Gundappa
5	08-09	101	145 C.P.C	1. Kari Puka 2. Narayan	1. Basava 2. Linga ppa
6.	13.14	69	191 C.P.C. Sanction to prosecute forgery.	Patel Nanda gowda	1. Linga gowda 2. Lakshmana Gowda 3. Channaveerak 4. Subbanna Chan

Kondaboran	Possession of lands attached to Aunsenkaley Kodambali & Kendapur villages.	6.1.17	"	Pandies.
Kodambali	Survey Nos. 84, 88 & 89 of Kodambali.	31.1.17	16.5.17	1/2 party Pallichandi to be in possession of attached lands till ousted therefrom in due Course of Law.
Aunsenakaley.	Re. Bissa lemmai temple worship at Aunsenakaley.	28.4.17	-	Application rejected.

Public Tranquility
6 Cases of Murders

" Copy "

Inspector General of Police

57

P.R 151-17-2

Draft D.O.

No. 577. Bangalore 21- 11.7.18

Dear

In inviting a reference to your office letter no. 7065-499 dated the 9th/13th April 1918 on the matter of quartering a punitive police force in certain villages of the Chamarajnagar Tk. I am desired to request you to state the present situation & to forward with your opinion as to whether such a drastic measure is still necessary.

Yours Sincerely

Sd/- M. C. Balasundaram

for

To

Mr. Amir Hamza Hussain Esqr. B.A. B.L.

Offg. D.C. & Police in Inspn.

Sd/- 10/7

B.G.
10.7.18

57

DIARY No. G. 1157.

OFFICE OF THE
INSPECTOR GENERAL OF POLICE IN MYSORE.

Camp French Rocks, 16th July 1918.

Dear Mr. Balasundaram Iyer,

With reference to your letter No.G.517 dated the 11th instant, regarding the question of a punitive police force in certain villages of the Channapatna Taluk, I write to say that I shall be visiting the Taluk shortly, when I shall make enquiries in person and send up my opinion in the matter.

Yours sincerely,

[signature]

D.O. No. C.109

Dated Camp Mysore, 20th August 1918.

Dear Mr. Balasundaram Iyer,

With reference to your D. O. letter No. G.517 dated the 11th July 1918, in the matter of quartering a punitive police force in certain villages of the Channapatna Taluk, I beg to state that I visited the marginally noted villages in which the punitive police has been proposed to be quartered, in company with the Deputy Commissioner, the Superintendent of Police and the Assistant Commissioner in charge of the Closepet Sub Division. The whole trouble in these villages has arisen on account of one family residing in the village of Kondapur. One Manche Gowda having lost his son, his daughter-in-law set up an adoption under a false will which Manche Gowda repudiated as false. Such cases are of frequent occurrence in wealthy Hindu families and give rise to factions in towns and villages. Both sides had their adherents, the chief amongst them being Shanbhog Gundappa of Akkur and his brother Srikantiah on the side of Manche Gowda and Dase Gowda of Kankanhalli and Putte Gowda of Kondapur together with Shanbhog Surappa of the same village on the side of the daughter-in-law. This dispute was ultimately settled amicably, Manche Gowda recognizing the adoption and dividing the property between himself and his adopted grand son. In the meantime, an attempt was made to shoot one Ujjani Gowda, a relation of Putte Gowda, which led to the prosecution of Manche Gowda and his party, but without any success. This was in the year 1905 or thereabouts. In 1909, a man was shot dead in a field in Kondapur, and Putte Gowda and his men were unsuccessfully prosecuted; but it does not appear whether it is an off-shoot of Manche Gowda's civil dispute. In 1910, a prosecution was instituted against Shanbhog Surappa and others in connection with the death of the adopted grand son of Manche Gowda, but it was held in the Sessions Court that the death was accidental and not homicidal. Three years later, another murder took place in the village of Shanbhoganhalli, but its connection with the cases mentioned above

Banaganahalli
Kodambally
Kondapur
Hunsanhalli
Akkur
Somnathpur

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is by no means clear.

The dispute now is between Putte Gowda and his eldest son Sidda, because the former has been favouring his other sons at the expenses of the latter. There is also a dispute between Sidda and Gundappa, as the latter who lent money in connection with the criminal prosecutions has got bonds taken for larger amounts than he really advanced. It seems to me that these cases which have occurred at long intervals are not beyond the competence of the Regular Police to deal with. The number of other cases reported from these villages is very small. Lands in these parts being valuable, there have been some cases before the Magistrates under section 145, Criminal Procedure Code; but they are no index of the criminality of the people.

I had a talk with the people in each of the villages and they protest that they are innocent and do not in any way deserve the punishment proposed. Their argument is that the rowdyism is confined to a few turbulent persons and the large majority of the inhabitants of the villages are peaceful and law-abiding citizens and have assisted the Police in the investigation of the cases. They urge that they have come forward to give evidence against the culprits in criminal courts, and if the cases have failed, it is due to 'uncertainties of law' rather than to any want of co-operation on their part. There is great force in this argument and I do not see any reason why these innocent people who form a vast majority and who have no concern whatsoever with these cases should be mulcted for the faults of one or two scheming persons. I have instructed the local Police to take vigorous action against rival factions under section 107, Criminal Procedure Code, and I would like to watch the effect of the same for some time. If it produces no effect, I shall renew the proposal now made. Till then, the consideration of the question may be deferred. I may also state that this is also the opinion of the Deputy Commissioner and the Sub Divisional Officer who accompanied me in my visit to these places.

Yours sincerely,